



Memo

Date: November 5, 2014

To: Cottonwood Heights Planning Commission

From: Brian Berndt, Community and Economic Development Department

RE: Proposed Text Amendment to Chapters 19.72 (Sensitive Land) and 19.75 (Geologic Hazards) into Sensitive Lands Evaluation and Development Standards (SLEDs)

Request

Staff is proposing a text amendment to Chapters 19.72 (Sensitive Land) and 19.75 (Geologic Hazards) of the city's Zoning Ordinance. This text amendment also includes references to Chapter 19.74 (Floodplain Hazards) and code guidelines to address those hazards. The proposed "SLEDs" (Sensitive Lands Evaluation and Development Standards) ordinance enhances and supports ordinances that are already codified by the City and replaces the chapter 19.72 Sensitive Lands and 19.75 Geologic Hazards ordinances and combines them into one comprehensive chapter. SLEDs will govern all development/building on property located on or around sensitive geologic, hydrologic and other hazard areas. There are a number of changes to the existing code included in this text amendment. They are: new definitions, new maps, and minimum industry standards of care for reviewing and addressing hazards. Combining the ordinance into one area will make the ordinance more user-friendly.

Background

This code process was conducted by staff and contracted geologists and geotechnical professionals to identify as many natural and man-made hazards that exist in the City and then to draft an ordinance that best controls development on and around these unique areas.

A SLEDs review committee was formed and met for the first time on June 17, 2010. The committee was formed by the Development Review Committee (DRC) as a special extension to review this unique ordinance. The committee was made up of 16 professionals with backgrounds that include university professors, professional geologists, structural engineers, civil engineers, urban planners, an ecologist, fire prevention specialists, mapping specialists and more.

The ordinance took shape through this collaborative effort combining these technical codes into one all-inclusive, more user-friendly code. The overall purpose for this code amendment has not changed from the original Sensitive Lands and Geologic Hazards in that it is meant to address sensitive lands in the city to protect the public from natural hazards and damages caused by unregulated development in a more comprehensive and accessible way. The new code includes new definitions, new hazards maps, and current industry standards of care for submission, reviewing and addressing hazards. The draft code was prepared and ready for discussion with the Planning Commission and City Council when the Council decided to put

the revision on hold. Staff started the review up again in late 2012 and again in 2014 after a hazard incident occurred at another city and thus the proposed text amendment is being brought to the Commission at this time.

Primary Issue

1. **Dated Industry Standards** – The current zoning code lacks specificity regarding industry standards for reviewing and assessing these hazards.
2. **Lack of Clarity** – The current code lacks clarity of anticipated review procedures, submittal standards, and language for qualifying a person's expertise for preparing, submitting, reviewing reports, and performing field work related to these hazards.

Primary Benefits

1. **Using the latest industry standards** - Using current standards of care for submission, review and application for hazard analysis.
2. **Ease of Use** - Ease of use by combining chapters into one.
3. **Update Standards of Care** – Updating the code adds further soundness to regulating these sensitive areas.

Staff recommends that the planning commission consider the following and then pass on a recommendation to the City Council to:

1. The suggested text expands the existing code with current industry standards and procedures.
2. Ease of Use.
3. This proposal updates using the standards of care for submission, review and application for hazard studies and reports, field work procedures and performing other work in these areas.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the SLEDs Zoning Text Amendment initiated by the city, application ZTA 14-004, based on the staff findings listed in the Staff Memo dated November 5, 2014:”

1. List any additional findings...
2. List and additions / changes

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the SLEDs Zoning Text Amendment initiated by the city, application ZTA 14-004, based on the staff findings listed in the Staff Memo dated November 5, 2014:”

1. List any additional findings...